

REMARKS/ARGUMENTS

In accordance with the Examiner's Restriction Requirement, Applicant hereby elects the species of Group A. The Examiner indicates that the readable Claims 1-6 and 23 are generic to species A and B (Figs. 3 and 4) and that the species requirement directed to species A and B were withdrawn. Claims 24-32 have been cancelled.

Claims 1-6 and 23 were rejected under §112, first paragraph as failing to comply with the written description requirement. The description has been amended similar to how the Applicant addressed the description of Fig. 4 in the previous Amendment and Response. Therefore, this rejection under §112 should be withdrawn.

Claims 1-6 and 23 were further rejected under §112, first paragraph as failing to comply with written description requirement. Specifically, the Examiner objected to the language previously appearing in Claim 1 regarding the inner tube and the body extended continuously without openings between the upstream end and the downstream end. This limitation has been deleted from Claim 1. Therefore, this rejection under §112 should be withdrawn.

Claims 1-6 were rejected under §103 as being unpatentable over Barlow in view of Fassauer and further in view of Winn, Jr. Claim 1 has been amended to further recite a fitting, and a transverse orientated tube connected to the fitting, and the transverse orientated tube communicating with an interior gap of the housing body. In the elected species of Fig. 3, and as described on page 13, fitting 54 includes a tube 55 that communicates with the interior gap of the body 52. The upstream end 56 of the body 52 is sealed so that liquid 68 may only flow towards the downstream end 58 of the body 52, thereby allowing the liquid to surround the inner concentric tube 62. The claimed transverse orientated tube corresponds to tube 55 and the claimed fitting corresponds to the fitting 54. As shown, the fitting 54 is a separate element from the housing body 52, and the tube 55 is a separate element from the fitting 54.

Even if it were obvious to combine Barlow, Fassauer and Winn, Jr., Winn, Jr. is deficient with respect to disclosing combination of the claimed fitting, housing body, and transverse orientated tube. Therefore, this rejection under §103 should be withdrawn.

Claim 23 was rejected under §103 as being unpatentable over Barlow in view of Fassauer

*Application No. 10/633,463*

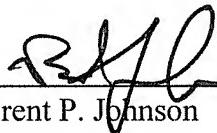
and further in view of Winn, Jr. and Pomerleau. Claim 23 depends from Claim 1 and further claims a flange connected to the downstream of the innertube. Pomerleau fails to cure the deficiencies in Winn, Jr. Therefore, Claim 23 should also be allowed.

The application now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would expedite the resolution of this case.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:



Brent P. Johnson

Registration No. 38,031

1560 Broadway, Suite 1200

Denver, Colorado 80202-5141

(303) 863-9700

Date: 10/16/06